

Distance Learning -- Using Software and Hardware Combinations Most Law Schools Have or Can Afford to Acquire

Peter W. Martin
Legal Information Institute, Cornell Law School

I. The Interrelated Questions of What's Possible and Why a Law School Might Want to Explore Distance Learning

- A. Conventional law school teaching is centered on or anchored by a place - the classroom.**
- B. The necessity to bring faculty and students together at scheduled times in that one place in order to conduct a credited law school course places severe limits on what a given law school can offer its population of professional degree students.**
- C. The same necessity stands in the way of instructional programs law schools might otherwise offer populations of students beyond than their own full-time matriculants -- whether CLE to members of the bar or law for non-law students to diverse populations.**
- D. The barriers implicit in a classroom centered notion of legal education are particularly noticeable to institutions located away from large urban centers.**
- E. In contrast to earlier distance learning technologies based on broadcast or recorded presentation, Internet options now available play directly to law's interactive instructional paradigm.**

II. Mapping Net-Based Applications Against the Principal Components of a Conventional Law School Course

- A. What are the principal components of a law school course -- including the more generic functions to which the standard classroom meetings are simply a means?**
- B. Given the current availability of net-based software which permits a wide range of both asynchronous and real-time exchange, which, if any, of those "classroom" functions cannot be moved on-line?**

III. Copyright and Digital Works - One Experiment, Currently in Progress

A. This year students at four law schools (Cornell, Chicago-Kent, Colorado, and Kansas) are enrolled together in a course that is being taught over the Internet, via e-mail, Web-based conferencing software, and low-end Net-based video conferencing technology.

B. The premise that drives this particular distance learning experiment is that for many law schools, law students, and law teachers there are valuable courses not offered, taken, or taught because the critical course mass is not present in one institution.

C. Institutional barriers are every bit as imposing as time and space and, consequently, arrangements that can surmount them are at least as important new technology. This experimental course uses “off the shelf” institutional modules alongside “off the shelf” technology.

IV. Preliminary Observations About Teaching and Learning in a Virtual Classroom

A. Students (and teachers) accustomed to a very different pattern respond both positively and negatively to a virtual classroom in which the principal medium of exchange is writing and all exchange is preserved verbatim.

B. Virtual classrooms competing with local physical classrooms for student time and attention need more than novelty going for them.

C. Distance learning can (and should) leverage activities taking place in real time and space.

D. Distance learning with significant asynchronous components requires a very different rhythm than the 3 or 4 day a week classroom course.

E. In such a course the quality and reliability of Net access from places other than a law school lab becomes a critical factor.

F. The principal challenges in making such distance courses a more widespread reality are not those posed by the technology but those flowing from the need for both teachers and students to adapt deeply seated pedagogical assumptions and habits to a quite different environment.